



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE
Docket No: 6403-02
19 December 2002



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 12 December 2002. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you underwent a pre-enlistment physical examination on 5 April 2001. You completed a Report of Medical History on that date in which you denied having a history of any significant medical conditions. You enlisted in the Navy on 25 April 2001, and served until 9 November 2001, when you were discharged by reason of erroneous enlistment, and were assigned a reenlistment code of RE-4. You were discharged after you disclosed a previously concealed pre-service history of a disqualifying heart condition, chest pain and palpitations.

The Board concluded that you were not physically qualified for military service, and that you would not have been permitted to enlist had you disclosed the disqualifying conditions. As you were not unfit for duty because of a disability that was incurred in or aggravated by your military service, you were not entitled to be separated with entitlement to disability benefits administered by the Department of the Navy. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director